1895-96.
(L.R.)

File No. 83-95
Serial No. 1-17

Sub: Loan to One Hayathasab of Venkatagirikote, of Chintamani Taluk, for sinking an irrigation well.

(50)

Extracts of the Various Records in the case of petitioner Tyatte vide Enclosure Serial

1. Extracts of the case

On 4.12.91, petitioner Tyatte made application to the government for a loan of Rs. 600, under Sec. IV of 1890 for sinking an irrigation well on his site, viz. S. No. 63 of Kirumandapatti village, Dharmapuri taluk. On 11.2.92 a loan of Rs. 2,75 was sanctioned to him & he was paid this amount in 3 instalments before 24.5.92. On 6.6.92 a further loan of Rs. 325 was sanctioned to him & the whole amount was also paid to him on 2.8.92. But as in 1892 An inspection of the well was made by Government Overseer Nanjunda Rao for sinking a well on his S. No. 63 - The Survey member himself visited the site. Good security for the loan - The petitioner failed to comply with the terms of the agreement & complete the well within 2 months. After a recent inspection - 11-8-96 - in person, the overseer reports that the well has collapsed - The petitioner submits that the collapse is due to want of timely care on the part of the petitioner - probably the well as it caved in. In consequence of the default to complete the well, coercive measures were adopted to recover the loan - Land Rs. 91 belonging to the petitioner was sold & sold for Rs. 91 belonging to the petitioner, they were both sold & fetched together the whole amount of the loan & interest - Petitioner's lands are now in possession

(note continued on page 23)

in the work owing to slips — the recovery of such advances should be held in abeyance & the parties given further grace to complete the wells."

2 All the financial papers in the file refer to proceedings, i.e. the order of Parish No 232 containing 2 subsequent relates to the loan proceedings viz, the agreement, the work done under it &c; while Parish Nos 1 to 3, relate to the title proceedings of our Nos 1 to 9. The former being the earliest will be dealt first seriatim.

3 Petr presented his Warrant (Exhibit 1/32) for a loan of Rs 300 to the Govt on 4.12.91. In this he offers to complete the construction of the well 2 months after the date of payment. Parish Nos 1 — 8 & 9/32 are the only papers in the file, relating to matters antecedent to the sanctioning of the account.

No 1 gives the estimate of the cost of the well to be constructed as Rs 202 of which the earthworks @ 1st Rs 241.

No 2 is the original application dated 3.12.91

× Para 3 rein.

× Para 2 rein.

× Sheristadar in charge

which has to be secured by
his securities. The Petr. replied
on 4.4.96
to the Govt. to cancel the sale
& to permit him to pay the
amount by instalments. When
× Letter No 553 dt 30.6.96.
he called for a report was sub-
mitted by the Dy Commr which
fully verified the facts of the case.
But as this did not touch upon
certain points alleged by the Petr the
Dy Commr was further asked to
report whether the Petr
had any & what the nature of his
default was. The Dy Commr sent
this in lieu to the one he had
submitting his reply to the Dy
Commr has furnished a
× Vol: No 33
Karnama summarising of the
whole case. The Dy Commr
× Letter No 578/210 dt. 7.8.96
in his report besides
answering the points referred to, has
raised on the following general question
× Vide paras 6 & 8 of letter.
for his determination & future guidance
viz, whether in case where indivi-
duals who have received advances
for sinking irrigation wells, dead
but bought a large cultivation than
advanced by Govt have been
induced by them, yet they are
liable to pay any further

he failed to complete the work
& thus kept up to the terms of
the loan the law proceeded against
& the land (for Rs 50) which alone security
for the loan was first sold in
a public auction for - on 23.11.95
Meanwhile the petitioner had
to pay a balance of revenue
on his dar for 3 of the same
village for the year 1902 (1894-95)
viz Rs 4-13-0 & expenses 3-12-3, &
for its recovery this land was
sold on 19.8.95 for 9 Rs. But
this sale was cancelled on 29.11.95
on account of some irregularity
& a resale was ordered. In
the 2nd sale this very land
fetched Rs 192 on 8.1.96.
This amount together with that
realised on Rs 65 was after
deducting the small amount
on account of land revenue,
utilised to cover up the amount
advanced to the petr. The
petr has no other property
besides these lands & There is
yet left a balance of Rs 21-11-0

× Sched 3A + 3G, agreement No 7 (Banjar) Wayland.

× Sched 3A + 3G, agreement Ro 6 dry.

× Rs 21-13-0
0-2-0 deducting interest
21-11-0.

5.

He says that a well sunk there is 2 feet deep that water appeared at the 15th feet from top & hence there is 6 feet of water; that the water is sweet & is capable of irrigating 3 4 & 3 Cs of land; & that there is spring.

No 9 is the Lohagar of the village 9 S.N. 9 & then agrees to the facts contained in No 8 above.

Khata 32

In the case of the application for the land here in specification No 8 S wherein the well is to be sunk there are the names in Kanarese of Sri No 9 ... Lingappa Gouda Patil Police Patel of Hanchinal mentioning the amount noted for. First 2 wells were sanctioned on 1.1.92 ಕಲ್ಲಿನ ಸಂ ೮೬ ಮತ್ತು ೮೭ ಅವುಗಳಿಗೆ ಸಂ — 205 ಮತ್ತು ೨೦೬ ಅವುಗಳಿಗೆ — ೧೯೨೨ ನೇ ಇಸವಿ ಫೆಬ್ರವರಿ ೨೦ ನೇ ತಾರೀಖು ಮಂಜೂರು ಆಗಿದೆ — "(As there are no other markets in this village is sanctioned — time 30 years — 1st instalment 65 Rs work to be done in 6 months".

There is a note here (illegible) that on 1.2.92 65 Rs was paid in the 2nd instalment.

No. 5/32 is the Panchalika referred to
& is dated 5.6.92. Here the Petr
agrees to complete the work
within 6 months from the date,
but the security agreement says
6 months from the 21st date (Ex
Ser 2 & 20 Ex 99 & 30 & 82.00
says 60 & 80 & 8). It is doubtful
whether the security was bound
for the whole of 3 works or the 2nd
was to be sanctioned. In the
others orders of 2nd & 3rd enquiries
a term was also inserted in this Panchalika,
where the Petr expressly bound
himself to execute the work
within the time & in such a manner
that there may not be less than
10 feet of water in the well.
No. 10/32 is the Petr's reqn dy 27.6.92
praying for the payment of Rs
sanctioned to him.
No. 11/32 is the Wells Inspectors report
of work done dy 1.7.92. He says
that Rs 23¼ - 5 - 1½ of work is done &
sends a plan No. 12/32.
In No. 13/32 at the very last is the
order of the Special Officer in
charge of Irrigation dy 26.7.92
for making a cheque for Rs (20 17/32)
& giving Petr time till the end
of August while noting that he

No. 2705/82 contain the Executive Engineer's report of work done 9/28-2-82 wherein he says that the petr has done work to the extent of Rs 135-4-0

No. 4/82 is the in charge Secretary's ~~letter~~ Diary to the Collector dated 9/2-5-82 stating that out of 2 sets sanctioned to the petr 130 Rs has been paid to him; that from the Executive Engineer's report petr has done work for Rs 135-4-0; that petr has spent 200-30 Rs more subsequently; that apart from the 2 sets already sanctioned to the petr something more may be sanctioned to him to enable him to complete the work as originally estimated & planned & that the society which the petr represents for the execution is a reliable person. On this the Collr. ~~[illegible]~~ ordered the payment of the balance of Rs 70/- vide Cheque No. 4/82 & asked the Govt to obtain a certificate from the petr & his society on proper sale of Kairara tiles & submit the same to him. (per the directions of the Govt)

(1)

Before the said officer came on
the account be for a mandamus 7.11.92 (Encl 4/32)
counter from the petr & his
surety one Vidagurike Veeramukki
Ramachendraiah. Petr here
agrees to complete the work
within 6 months from this date.

The said officer's another
order on the back (of Encl 4/32)
dated 22.5.92 is as follows:—
"Petr after doing some work
says that the amount paid
to him is not sufficient.
Measure the work now done
& ascertain its cost. What
amount would be required
hereafter to complete the well.
Can this amount be paid
& petr prepared to give proper
security for it. If sufficient
work has not been done for
the amount already paid
to him, give notice to him
& his surety & get the work done.
This entry page contains another
order of this officer. 3.6.92.
(Encl 5 for this petn above
has been sanctioned.)

excess account. This omission on the part of the Local authorities has given rise to unnecessary trouble both to the Govt & the Disbursing Officer. The latter failure to do the work properly within the time given to him has caused the delay as to render the bill useless. Even now if there is no prospect of his completing the work, the account may be recovered."

The Govt then wrote to the Agent General on 29.7.33 (P. No. 22/32) stating that he had obtained orders from the Local Govt to recover the amount & that he had forwarded the extract from Chalt of the Govt Order (P. No. 37/32) & that he solicited orders initiating the forfeiture of the pleader's bonds. The Govt Order (P. No. 37/32) directs the Govt to take proceedings under section 5 of Regulation XVII of 1827 & to forward a certain circular of his.

P. No. 32/32 is the Govt Order to the Govt P. & S. S. to proceed for the recovery of the amount. P. No. 33/32 is the Govt reply to the Govt called for by the Govt. This contains the Memorandum of the case referred to in para 1 above.

4. The 2nd para of the Sale Proceedings referred to para 2 above C.C. Jessore Partition No. 1 to No. 31, will be taken up here. Pl. Nos. 16 & 23 refer to the sale of the land secured for the loan viz, Rs. 65. Para 5 below.
Pl. Nos. 24 containing about 13 Lacs refer to the sale of the land for Rs. 21 for Rs. on account of land revenue. Para 6 below
Pl. Nos. 25 & 29, refer to the 2nd sale of the land for Rs. 9 : for Rs. 2K Para 7 –
there remain Pl. Nos. 30 & 31 to conclude the file. Para 8 –

5. As regards sale of Rs. 65 (Pl. Nos. 16 & 23) Pl. No. 1 is a bill to Act. B. 8.5.25 amounting Rs. 3.13, the account dealt.
Pl. No. 2 is a letter from the Collector to deliver the endorsement (Pl. No. 5) to the plaintiff. Pl. No. 3 is the letter reply to say that he has delivered.
Pl. No. 4 is a letter from the Manager to send Sale Certificate.
Pl. No. 5 is the endorsement in the Act B. 8.5.25 founded on the orders of the Dy Comm. refusing to grant the prayer of the Petitioner for a loan of Rs in addition (vide Pl. No. 6 & 7).
Pl. No. 6 is the plaint of the present suit to the Court. This suit is represented to the Dy Comm in 4 A. 25 for disposal

Art. 10 is a similar application to the
by Govt. of 1.2.95 stating that
in cases of certain wells, where
there is no spring found the sport
may invite off the accounts under
Para 15 of Notification of 2. 10. July 1891
& that his land may in consequence
be freed from attachment.

Art. 17 is notice to debtor to pay up the
amount within the date of sale

Art. 18 is the sale notification &c. 3
The sale is fixed on the 2. 11. 95.
& notice above the 2 months &c. &c.
are entered as the dates of sale
though only 35 is intended to be sold

Art. 19 is the application to the Collector
to sanction the notification &c.

Art. 20 is the requisition of the debtor about
the price for sale of

Art. 21 are the depositions of the
two parties of the debtor dated
20. 11. 95 stating that a fraud
& collusion.

Art 22 is the sale paper where the
land for Rs 65 was sold for 200 Rs.
by the Nazir to the Auctioneer who was agent
& bold the sale
to ~~Lala~~ by the Auctioneer.

Art 23 is a plea from the Auctioneer
that he would give 200 more than
the highest bid.

or report if necessary.

Petr has stated here that he wants 300 Rs more for rivetting the well; that he wants the Govt authorities not to proceed against his land; that he would pay the loan by instalments; & that there is 5 feet of water in the well. The Dy Commr referred this in turn to the Asstt, whose reply is contained on the back of this sheet wherein he does not recommend the granting of the petr's prayers.

No 7 is the Dy Commr's order to the Asstt to give the petr the enquiry refd to in No 5 above.

No 8 is the petr's deposition dated 20.4.[illegible] wherein he states that the completion of the work is not possible (on account of [illegible]) & that he is unable to pay the whole sum in a lump but that he would pay by instalments at 100 Rs per year.

Nos 9 & 10 are the Siddhapatte Patrs of Gadi de, regarding the survey which lived in that Taluk.

No 11 is the Khate extract & [illegible] this is the order of the Asstt to issue the sale notification.

Pl. No 12 is the sale notification dt 31.8.95. The sale is fixed for 8th Oct/95. But from the Asst's order of 11.10.95 on the back of Pl No 7, the sale was not held on the day fixed on account of some Gumasta's negligence. In this notification both Sur Nos 65 & 91 are entered as the objects of sale, though only Sur No 65 ~~seems~~ was intended to be sold & was really sold. This is repeated in the 2nd notification (Pl. No 18).

(N.B. Sur No 91 was sold for 9¹ on ~~Sp~~ 19.8.95 & this sale was cancelled on 29.11.95)

Pl No 13 is notice to Petr intimating the sale fixed & asking him to pay before the date of sale.

Pl: No 14 is the Petr's application to the Dy Commr repeating the same prayers that be made to the Govt viz, for an additional 3 or 4 Rs etc. Mig buyers by Commr's order dt 2.3.95 "Asst Forefort."

Pl: No 15 is the Petr's application to the Asst Cn dt 21.1.95 wherein he prays (1) that a recommendation be made that the Takavi amount spent by him on the well may be borne by Govt under para 16 of Govt notification dt 21st July 91, (This is not in the file) (2) that the sale of his land be stayed & ~~stated~~ that he has asked this very prayer in his petns to the Govt, the Asst's duty Officer & the Dy Commr

× (No such petns in the file)

6. As regards the sale of Rs 1.3.8 given in the items relating to the cancelled salaries. Nos 2 & 3 papers.

No 2/24 is the charge sheet to the Govt. forwarded on 22/29.11.95. States that he is not to pay a Rs. 3-3-0 for Rs. 2.3. for the year 1924, but paid it in 2 instalments. that for the recovery of the balance the Govt. must send a warrant for Rs 7 charge under the surplus Agts. declaring the persons that be appropriated to cover up the deficit amount. On the 2nd the Govt. forwarded an order on 29.11.95 the cancellation of the sale & fixed the Marriage Season as he being also the purchaser of the land. And not permitted the money to the treasury officer the latter in the accounts &c.

No 1/24 is the statement submitted for the confirmation of the sale.

No 2/24 is demand notice of 1.2.95.

No 3/24 is the Khata extract.

No 4/24 is the sale notification of 8.7.95.

The day fixed for sale is 19.8.95.

No 5/24 is notice to Govt. to pay, require sale.

No 6/24 is the sale that where the land is sold on 9.10 by the Govt. on 1.8.95.

8. 1st Jan 31 In an application of the petr to the Govt for leave to sell certain land this day been sold to Mr Wm Carter land for 91 is about to be sold that he received the advance from the Govt with a view to better his circumstances but that it has turned him instead, by depriving him of only of the land which he intended to improve for the benefit but also the remaining property he has in 91 & praying that after the cancellation of the sale he may be permitted to pay the instalments at 30 Rs a year & that he would give a proper security for it. The Govt referred this to the Collr for report with his letter No 70 of 31st Jan as to the reality of the allegations for the return of the record.

1st Feb 31 to another application of the petr of the same tenor as to the one referred to above in place of the latter that he asked the Govt to sell the land to pay the

20

of the Federal Accounts that
that the sale of his real estate
of land revenue fetched only £5,
that it is worth more than 2 crores;
that the sale proceedings have been
for confirmation, & that it should
not be confirmed that fair market
value should be obtained. On
this the Govt in his letter dated
asked the Govt to send all
the sale records. On examining
the same the Govt found that
the records if were sent to the
Govt Govt for his confirmation
has not received & that it was
better to order a 2nd sale of the land.
On 9.12.95 the Govt sent the
receipt of the records submitted
time to the Govt stating
that the Govt had cancelled
the 1st sale and ordered a 2nd sale.
On this the Govt advised
the Asst to issue the sale proclamation
there being one for that amount.
The Asst after the record submitted
a report to the Govt on 5.2.96
where he stated that the persons

No. 7/24 is the Shanbogue's statement for the delay in remitting the amount. States that he delayed paying, believing that the petr. would pay the balance of Kandayam it being a small amount.

The remaining 4 or 5 papers are petns from different parties to the Govt. Appl. Commr. offering to pay for Sur No. 91 Rs 80, 150, 120 & 100 praying that the original sale may not be confirmed.

Among these there will be found an application of the petr. to the Govt. Appl. Commr. protesting against the confirmation of the sale of this Sur No. 91 for 9 Rs, as it would fetch more than 200 Rs if properly sold. In this there is this statement of the petr., viz, that he requested the Sheristadar to sell his Sur No. 91 to make up the balance yet due by him out of the 300 Rs he had borrowed from Government. (illegible)

7 Now to go to the 2nd sale of Sur No. 91 (Pt: Nos 25 to 29).

No. 25 is the Asst's order communicating the cancellation of the 1st sale, forwarding a sale notification & asking him to see that the crops standing on the land are secure. This contains also the Sheikdar's reply that he has executed the order. He states that the crops are cut & that he has secured them.

No. 26 is the notice to the pet. of the day of sale.

No 27 is the sale notification dt 4.12.95. The sale is fixed for 7.1.96

No. 28 is the Sale Patti where the Asst has sold the land together with the crops for Rs 192 on 8.1.96.

No. 29 is the Asst's order adjourning the sale to 8.1.96 as there were not many bidders on the day fixed.

8

An advance of Rs 300 was made in 1892 by Government to the petitioner Hayat Saib for sinking a well on his survey no 65. The survey number itself stood security for the loan. The petitioner failed to comply with the terms of his agreement to complete the well within six months. After a recent inspection 11.8.96 in person the Amildar reports that the well collapsed The Deputy Commissioner submits that the collapse is due to the want of timely care on the part of the petitioner probably to arrest the well as the earth work progressed.

In consequence of this default to complete the well coercive measures were adopted in 1895 to recover the loan. Land no 65 which stood security and another no 91 belonging to the petitioner were both sold and they fetched together the whole amount of the loan with Rs 21-11-0 Petitioner's sureties being

expenses for the reinstatement of the balance.

It may be submitted that the petitioner deems it necessary that the Work on the Well must be carried according to the report of the well Inspector dated 13-6-96 & work had been done on 19-7-96.

It may be further submitted that the same Inspectors reports on the well that although it is 24 feet the well shows no Spring

Submitted with the above request

Yours faithfully

Illegible

19/9/96

The Rules framed and conducted regularly and cannot be interfered with. In short the whole case discloses a certain amount of hardship which it is desirable that the Local Fund Authority should remove by making advances for land improvements & for the construction of irrigation wells, should

(Vide margin for continuation of the note)

draft

Receipt dated 1/10/96 at Dindigul after deducting the sum already received from Irrigation Department allotted from Irrigation Fund was not the actual expenditure incidental to the construction of a Cottage well from Private funds at Various times. But as per advance of Rs 300, which was received the applications had been made and in addition more than the sustainment there are artificial rocks of the Hosur plates that the dead stone earth work, by the men of Rs 200. He had also a cart load of stones which used for the revetment. But the well never stopped and rendered further work impossible as mentioned above. Next the benefit paid the money be borrowed from Govt, & the means adopted in the recovery of the

(P.T.O)

the records for the confirmation of the sales of Sur No. 65 & 91 that the defaulter (Petr) has no other property; & that the remaining amount of Rs 21-11-0 has to be recovered from the sureties. The Dy Commr in reply has ordered on 24.3.96 the confirmation of the sales on the Asst's responsibility & that the balance of Rs 21-11-0 may be recovered from the sureties. On this the Asst has made a note that the mutation of names has been effected in the ledger (C.B. of L.S. of 95-96 vide fol).

No. 6/30 is Hyathsab's petn to the Govt (Rev 3640) 94.4.96 & No. 7/30 is its enclosure while No. 5/30 is the Dy Commr's order to the Asst to submit the records with his report in pursuance of the O. of the Govt.

Ph: No 31 is the petn of the surety Ramachendraiah to the Collr disclaiming his liability, as surety, for the balance

× C.B. The sale Jotdar of Sur No 91 says that Rs 5-9 is due from Petr, & the Asst has added in his Jott 2 annas more as interest on this above amount.

due by the Petr on account
of the Takavi amount.

A.F.C.
17/9

money be entitled
the land be had
proceeded. He objects
amend ab initio
ment of the land
was not obtained
but that it was
simply vested in the
Res undeniable
vested should be held
two causes: -
1. want of a proper
estimate of
the work in the
commencement
2. Want of timely
inspection & help
both the before of
advice and advance
of money -
It is of the highest im
portance that such
applications should
not be treated arbitrarily
The officer entrusted
with the execution of
this benevolent intention
I submit should endeavour
to get as many reliable
data as possible to form a correct opinion
of the probable expenditure
and co-operate earnestly
with the borrower till
the whole advance is
worked out. It is
obvious that

the amount of
the advance
was not sufficient
Much time
was lost in
obtaining the
several instal
ments of payment
worked out

relative to the
Their new to be
obtained when
in this case - After
the advances are
made the responsible
officer ought to visit
the works periodically
watch their progress
and render such
help as is necessary
by inspection and
by timely payments
to ensure
final completion.
In the present case the
Dy Comr may suggest

Proceed 26

II 25

Under the purchase
before us their right
to the land & if they agree
the sale may be cancelled
& the purchase money
refunded to them. As
the Patni case is really hard
he may be allowed relief
the first loan in two instal-
ments provided he gives
tangible security for 20 down -
It is not possible to lay down a
hard & fast rule as desired by the
Dy. Com. for his guidance in such matters & the Chief Officer of the
Distt. Govt. works below in transport
the measures and orders of Govt. in
such a way as to realise the fair
good revenue thereform with the least
& boldly and to minimise the
hardship if any by a considerate
regard to the interests of all concerned.

9/11/26

(Print both
the correspondence
with order &
subsequent)

Draft 11.26

24/11/26

with reference to para 4 of Govt Pro: No 4895-4901 P.791 dated 1-12-1896, the Dy Collr in his letter No 2118/650 dated 3-5-01, reports that the purchasers were induced to give up their right to the lands in question, that they agreed to do so in the event of being paid the expenses incurred by them towards the improvement of the lands amounting to Rs 165-6-0 (Rs 121-15-4 for land No 65 and Rs 43-7-0 for No 91); but that the defaulter Hyatte Sabi did not agree on the ground that the amount claimed was high and that he would abide by the decision of Panchayet; that the award of the Panchayetdars was Rs 67-5-0 (Rs 52-15 for No 65 and Rs 14-6-0 for No 91) which Hyatte Sabi agreed to pay in 4 monthly instalments; that the Purchasers, however, did not agree

agree to receive the said amount; that the Amildar who was ordered to settle the matter amicably, was not able to do so; that on the representation of Hyatte Sabi, Mr Gopalsingar (Gl Asst Coll) recommended the recovery of the advance in 10 years at Rs 30- per year (by refunding to the purchasers the purchase money of Rs 287 and Rs 64-5-0, being the amount fixed by the Pulchayet-dars towards the improvement of the lands); that the Dy Coll (Mr Venkat Varadasingar) observed that the Govt order referred only to the refunding of purchase money and not to the payment of the cost of improvement which Hyatte Sabi was

bound

bound to pay; that out of Rs 30/- (the 1st instalment so paid) Rs 22/- was credited by the Amildar towards the arrears still due to Govt after the sale of the two Nos referred to, and Rs 15 the remaining amount paid towards the kandayam had been kept in deposit; that in the last deposition before the Dy. Asst Collr on 27.3.01, Examn the purchaser of No 65 stated that he would part with the land if he was paid Rs 55/- towards the improvement together with 1 percent interest from the date of sale; that Hanumantha Rao purchaser of land No 91, refused to part with the land; that Hyath Sahib was so not disposed

disposed to pay any interest or expenses nor take back either one or the other sold; and that as the matter cannot be settled amicably, he is of opinion that no further Govt interference is called for.

21-5-01.

I think this may be recorded as proposed in the draft, as no further steps are likely to result in any good to the purchaser.

Submitted to the Chief Commissioner—

12/6/1901

Rd 12/6/01
675

3440

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
RECD. IN
DATE

17 APR. 96

3440

3640

3640

30/4/96

Bijl Bilder

Secretary.

27.4.96.

30.4.96

Impressed Stamp affixed.

16/4

Subject

The former petn No 3660 was rejected being unstamped

This petitioner also was similarly advised by the Hijras the Manager and referred to this office for disposal

~~Petn No 3660 dated~~
~~8/5/96~~

LR 83-95-2

1896

No. 3630

Name of Petitioner, Nagalu Sahi

Village, Venkatagirikote

Taluk, Chittamur

District, Salem

Date of Arzi, 6-4-96

Date of Receipt, 11-4-96

Date of Disposal,

No. of Enclosure, nil

ABSTRACT.

States that:-

He was given a loan of Rs 250 by Govt for the excavation of his irrigation wells in the Land. The money so borrowed was insufficient for even more excavation of earth. He was obliged to borrow Rs 50 from others to complete the excavation. He still needs some Rs 300/- for carrying on the stone work for the well - He petitioned the Taluk District authorities praying for additional money. But no money was given him.

An

Un-transferred

1896

No. 3640

Name of Petitioner, Kunhi Kadi

Village, Kundalayamkode

Taluk, Nilambur

District, Ernad

Date of Arzi,

Date of Receipt, 4-4-96

Date of Disposal,

No. of Enclosure, 1

R 8395-1

13/4/96

4-96

petitioner requests his pete
two Rupees Stamp affixed
pete 3640. Pet[r] has submitted
a memorial in his matter
7/5/96 to H. H. the Maharani-Regent
which has been referred to
Land Revenue department &c.

Read
Sent
A.S.
9/5/96

Sale 26 2 1896
4-5-96

call for report from the
Sub-Magistrate of Nilambur
and the endorsement
of the Amin
Nilambur
to all
Land
Dist
11/5/96

ABSTRACT.

Petr. that he was granted a loan
Rs. 300 to sink a
well in his land. That in addition to
this he borrowed a sum Rs. 150 from
others, completed the sinking of the well
and erected stone to face it. That
as he had no funds with him to
proceed with the work he applied
the 2nd time for further loan. That
on this the above Amin was deputed
to enquire the matter
and report to Court. That on the
report of the Amin the loan
was granted. That after the loan
was received down Rs. 300 that
of the land had been sold after the com-
pletion of the well. That he has paid
Rs. 1000 that on this he represents

By Court who informed him through Auditor (Vide Endorsement 9/17-3-96 closed) that the sale would be cancelled & the paid for the amount of loan - and that he has been deprived of the means of his livelihood - begs that he may further be granted a further loan to enable him to complete the well or that the present loan may be ordered to be recovered by instalments by the cancellation of the sale of his land which [illegible] was sold some three months ago.

RC
3/4

On the other hand he was ordered to pay up the amount in a lump, in default of which, he was informed, his land would be sold in auction for its recovery. Subsequently the land was put up to auction without any notice to the Petr.-

Petitioner says that he submitted a petition to the Dewan previous to this.

Prays that the sale may cancelled and the land restored to him, and that he may be allowed to pay the money by instalments.

B.L.R.
8/5.

with plaintiff's
No. 184 dated 15-4-96.

3630

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. NO. 3630
DATE 11-4-96

No. 11

ਸੇਵਾ ਵਿਖੇ ਸ੍ਰੀਮਾਨ ਜੀ ਸਕੱਤਰ ਸਾਹਿਬ ਪੰਜਾਬ ਸਰਕਾਰ ਚੰਡੀਗੜ੍ਹ ਜੀ।

ਸ੍ਰੀਮਾਨ ਜੀ ਬੇਨਤੀ ਹੈ ਕਿ ਮੈਂ ਸਰਕਾਰੀ ਸਕੂਲ ਵਿਚ ਪੜ੍ਹਦਾ ਹਾਂ। ਮੈਂ ਇਸ ਸਾਲ ਦਸਵੀਂ ਜਮਾਤ ਦੀ ਪ੍ਰੀਖਿਆ ਦੇਣੀ ਹੈ। ਮੈਂ ਬਹੁਤ ਗਰੀਬ ਪਰਿਵਾਰ ਨਾਲ ਸੰਬੰਧ ਰੱਖਦਾ ਹਾਂ। ਮੇਰੇ ਪਿਤਾ ਜੀ ਦੀ ਆਮਦਨ ਬਹੁਤ ਘੱਟ ਹੈ। ਮੈਂ ਆਪਣੀ ਪੜ੍ਹਾਈ ਦੀ ਫੀਸ ਨਹੀਂ ਭਰ ਸਕਦਾ। ਇਸ ਲਈ ਮੈਨੂੰ ਫੀਸ ਮੁਆਫ਼ੀ ਦੀ ਸਹੂਲਤ ਦਿੱਤੀ ਜਾਵੇ। ਮੈਂ ਆਪ ਜੀ ਦਾ ਬਹੁਤ ਧੰਨਵਾਦੀ ਹੋਵਾਂਗਾ।

ਆਪ ਦਾ ਆਗਿਆਕਾਰੀ ਸੇਵਕ
ਹਰਜੀਤ ਸਿੰਘ ਪੁੱਤਰ ਸ੍ਰੀ ਮੱਖਣ ਸਿੰਘ
ਪਿੰਡ ਤੇ ਡਾਕ: ਬਰਨਾਲਾ
ਜ਼ਿਲ੍ਹਾ ਸੰਗਰੂਰ

ਮਿਤੀ 16/4/96

(3)

1895-96.

L R 83-95-3

No. 3640

Name of Petitioner, Hayatu Sab

Village, Venkatagirikote

Taluk, Chintamani

District, Kolar

Date of Arzi, ~~30-4-96~~

Date of Receipt, 30-4-96.

Date of Disposal,

No. of Enclosure, one.

ABSTRACT.

Petitioner presents Pet. 3640 affixed with two rupees stamp

B/Sec.
8/5

Reference 3649 dt 19-5-96
Mlk 2575 dt 24-5-96
Reports are pending
24/5

Arrear Receipt Abstract
Land Revenue Rs 1-15-0
24/5

Mukhtiarkar
Reply has now been received. May a summons be ordered.
24/6

A urgent memorial is placed for approval
24/6

Mlk 24/6 Let-Lbr in pet is in Sgl's file and the case papers this office are sent herewith. Let the matter be disposed of. Let the inquiry about for some time (viz 2 weeks) more & then issue a summons.
24/6/96

S.a.lc

24/6
Report received & filed
8/7

1886 / 5-9555 (5)

1896

No. 378

Name of Petitioner, Gopala Saib of

Village, Venkatagirikotai

Taluk, Chintamani

District, Kolar.

Date of Arzi, 18.5.96

Date of Receipt, 22.5.96

Date of Disposal,

No. of Enclosure, Arzi

ABSTRACT.

Petr states that he was present a petition made in person stating that the sale of his land for Takavi amount should be cancelled he was told that the question will be settled in Bangalore that final orders has not yet been passed; that it is past the time for cultivation, that he has no other means of livelihood besides the land in question -

Prays that early orders be issued to cancel the sale of the land & to collect the Takavi amount due by him by instalments at such rate as the Govt may please to fix.

dgk.
25.5.96-

3787

MYSORE [illegible]
PETITION [illegible]
REG. NO. 3787/96
DATE 22/5/96

ಹೆಚ್.ಸಿ.ಮಹದೇವಪ್ಪ
ಮಾನ್ಯ ಲೋಕೋಪಯೋಗಿ ಸಚಿವರು
ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಚಿವರ ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿಗಳು ಮತ್ತು ಸಹಾಯಕರ ಹೆಸರುಗಳು

1. ಶ್ರೀ ಎಂ.ಎಸ್.ಪ್ರಕಾಶ್ ಬಾಬು, ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿ
2. ಶ್ರೀ ಎಂ.ಎಸ್.ಮಹೇಶ್, ಆಪ್ತ ಸಹಾಯಕರು
3. ಶ್ರೀ ಎಂ.ಎಸ್.ಮಹೇಶ್, ಆಪ್ತ ಸಹಾಯಕರು
4. ಶ್ರೀ ಎಂ.ಎಸ್.ಮಹೇಶ್, ಆಪ್ತ ಸಹಾಯಕರು
5. ಶ್ರೀ ಎಂ.ಎಸ್.ಮಹೇಶ್, ಆಪ್ತ ಸಹಾಯಕರು
6. ಶ್ರೀ ಎಂ.ಎಸ್.ಮಹೇಶ್, ಆಪ್ತ ಸಹಾಯಕರು
7. ಶ್ರೀ ಎಂ.ಎಸ್.ಮಹೇಶ್, ಆಪ್ತ ಸಹಾಯಕರು
8. ಶ್ರೀ ಎಂ.ಎಸ್.ಮಹೇಶ್, ಆಪ್ತ ಸಹಾಯಕರು
9. ಶ್ರೀ ಎಂ.ಎಸ್.ಮಹೇಶ್, ಆಪ್ತ ಸಹಾಯಕರು
10. ಶ್ರೀ ಎಂ.ಎಸ್.ಮಹೇಶ್, ಆಪ್ತ ಸಹಾಯಕರು
11. ಶ್ರೀ ಎಂ.ಎಸ್.ಮಹೇಶ್, ಆಪ್ತ ಸಹಾಯಕರು

ಸಹಿ/-
ಹೆಚ್.ಸಿ.ಮಹದೇವಪ್ಪ
ಲೋಕೋಪಯೋಗಿ ಸಚಿವರು
ಕರ್ನಾಟಕ ಸರ್ಕಾರ

Tuesday, 1 Entertainment
Employment Council Meeting
arranged for 6th at Eglantine
ing. I do not like Collection
to extend the advance to Ted
received and enquiry if this should
be so, in the meantime Mr Lewis
Councillor Thursday & Secretary
Clerk Meeting Arrangement
Explain to the Committee Village
meeting Arrangements on
the Car Journey. Letter from
Finance, Agenda Items
of this Meeting. To see Estate
Agents, Landlord re Rent
3-4 pm, Fine Digital, Retirement
2 Fire Glass Instrument and
Petrol, Cycle Accident
and the other Cycle, Mr Ena-
Ring & total Chemist & Wed
Ten days Duty Accident
Satisfaction with Assistant
Agency Tax, Election.
5. Fix, Car more Continued
in this Office after to 4 Dated
4th March, 75 and the Land
Last

C14

LR 83-95-4

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying ~~Appeal~~ Petition

No. 3440 dated without date

received at the Dewan's Office from Syed Sabi & Venkata Giriyappa Chetty Laxmana Balak- complaining ~~that~~ the sale of his land ~~was sold~~ for the recovery of the loan granted him for sinking well on his land and praying for the cancel- lation of the sale and for the grant of further loan to enable him to complete the well or for the recovery of the loan already granted by instal- ments

is forwarded, together with its one enclosures, to the Deputy Commissioner of Kolar District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with its enclosure should be returned.

3. ~~Further proceedings~~ The Petitioner- ment from the Collector, if any, necessary no facts at all

By order,

for ~~Chief~~ Secretary.

BANGALORE,

15/5/1896

M.G.C.P.B.—25-4-95—1,000

have since been struck off the Register and registered in the name of the Petitioner Company.

4. The Petitioner therefore submits that the Petitioner Company has the financial ability to pay the Respondent's bill due by the Petitioner.

5. Under the circumstances, for one good reason to pay the amount due for the purpose of the said Petition to the Respondent.

6. All the proceedings connected with the case for accompanying Price are herewith submitted for perusal and obtaining further orders in Court, Counsel.

Yours truly

Yours

177

(7)

1896

No. 396

Name of Petitioner, Hyath Sahib

Village, Kondapeniroli

Taluk, Chittoor

District, Kolar

Date of Arzi, 22-7-96

Date of Receipt, 28-7-96

Date of Disposal,

No. of Enclosure, Nil

ABSTRACT.

State that he submitted petition praying for the cancellation of the sale of his land in satisfaction of the Salar Jung debt. That he was informed that the sale would be cancelled on paying Rupees three hundred and that he paid the amount to Capt. Keen. That the Rupees were paid through Mr. Hall. That he is a poor man and a Christian. That he has no other means of livelihood than his land. That unless the sale is cancelled he will be ruined. Prays that the sale may be cancelled & that he may be permitted to redeem the land by instalments.

28/7

(6)

Gen. 31]

1896 126

From The Deputy Commissioner
Kolar District

To The Secretary to the Govt
of Mysore Rev: & General
Departments

Dated 30 June 1896

Despatched 4-7-96

Received

General No. 5073
No. 1416

Enclosure No. 1 file

Reporting on the petition
from Boyata Sabi of
Venkatagirikota Chintamany
Taluk

Petition March
4.7.96

1762

Submitted with reference to
Commissioner's order on
No. 3440.

16-7

Petitioner states that
he had finished
the earthwork
and on asking
that he might
be allowed
how much
he has
collected since
the revetment
work. Does
not show
which
finish. He
has not
how much work
had been done &
what was the
value of the
Refer the
16.7.96

Submitted with reference

No. 48

From

The Deputy Commissioner
Kolar District
Dated 30th June 9

To

The Secretary to the
Government of Mysore
Revenue and Jenral Depart
Bangalore.

Sir,

Adverting to your
official memorandum No. 1
Dated 15th May 1896 forwarding
for report a petition from
Nyath Sahib of Venkatagirikota
Chintamany Taluk Kolar Dist
plaining of the sale of his
land for the recovery of the
loan granted to him for sin
as well. I have the honor to
state that in 1892 the Peti
was paid an advance of Rs
for sinking an Irrigation
well on the security of
land Survey number 65 o
3 acres, 31 guntas with an ass
ment of Rupees 7 at Timmasa

Y. Forwarding petition with
its enclosures —

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REGD. NO. ೨೬೬೯೭
DATE ೨೯-೬-೧೯೪೮

ಹೆಗ್ಗಡೆದೇವನಾಗಿಗೆ ಅಂಚೆಯಲ್ಲಿ ಕಳುಹಿಸಿದ ಪತ್ರ

ಮಹಾಸಂಸ್ಥಾನದ ಕಾರ್ಯಾಲಯದಿಂದ ಬರೆಯಲಾಗಿದೆ

ಶುಭಮಸ್ತು ಶ್ರೀ ಜಯಾಭ್ಯುದಯ ಶಾಲಿವಾಹನ ಶಕವರ್ಷ ೧೭೭೦ ನೆಯ ಪ್ರಮಾದೀ ಸಂವತ್ಸರದ ಶ್ರಾವಣ ಶುದ್ಧ ೧೫ ಸೋಮವಾರ ಶ್ರೀಮನ್ಮಹಾರಾಜಾಧಿರಾಜ ರಾಜಮಾರ್ತಾಂಡ ಶ್ರೀ ಕೃಷ್ಣರಾಜ ಒಡೆಯರವರು ಸಿಂಹಾಸನಾರೂಢರಾಗಿ ಸಕಲ ರಾಜ್ಯಭಾರವನ್ನು ಸ್ವತಂತ್ರವಾಗಿ ನಡೆಸುತ್ತಿರುವ ಶುಭಸಮಯದಲ್ಲಿ ಮಹಾರಾಜಶ್ರೀ ಕೃಷ್ಣರಾಜ ಒಡೆಯರವರ ಆಜ್ಞೆಯಂತೆ ಮಹಾಸಂಸ್ಥಾನದ ಕಾರ್ಯಾಲಯದಿಂದ ಬರೆಯಲಾಗಿದೆ

ಮಹಾಸಂಸ್ಥಾನದ ಕಾರ್ಯಾಲಯದಿಂದ ಬರೆಯಲಾಗಿದೆ

ಸಕಲ ಸಂಪತ್ಸಮೃದ್ಧಿ ಸಂಯುಕ್ತರಾಗಿ ಸಕಲ ಜನಾನುರಾಗ ಪಾತ್ರರಾಗಿ ಸಕಲ ಸಾಮ್ರಾಜ್ಯ ಲಕ್ಷ್ಮೀ ಸಮೇತ

LR83-95-8

8

To the Sec^y, Colonial Office

21/30 July 1876

No. 937 / Pet-177 Commc Ver: file.

Sir Letter No. 5373 of 30/6/76 referring

on the petⁿ of Ayala Sen^r of Manila

pilkota

~~his reference to the above~~ has the

honor to observe that ~~his~~ his report

does not touch upon the two points

urged by the petⁿ, viz, that he had

finished the contract work at an out-

lay exceeding the tender amount

and that he had claimed extra

for the rivetment work, and to

request that he will be supplied with

~~copies~~ how much work had been

done and what the nature of

the deposits was.

2. The records received with the

above are herewith returned for

reference and return.

By order

Draft Cr

A.S. 23/7

Secretary to the

51

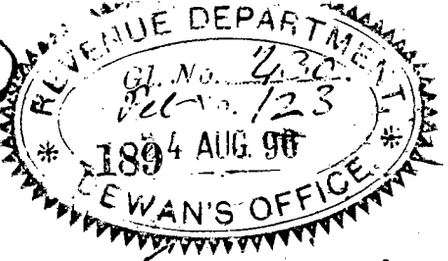
Your most obedient servant,

S. Mitchell.

Deputy Commissioner

Hon

Gen. 31]



From

To

Dated

Despatched

Received

General No. 878
No. 210

Enclosure No. 1 file

Return March
21/796

Red 26/8

Subd with refce.
26/8

Submitted with reference to the 2nd counsellor's letter No. 5073/1416 dated 30-6-96 from Mr. Colvin.

26/8/96

Mallesgrad
Khanewal
Multan Cantt
28.8.96

Ld 83-95-10

Taluk Deputy Commissioner's
Office
Dated, the August 1st

To

The Secretary to the Government of Madras
Revenue and General Department.

Sir,

In continuation to your letter No. 23
dated 2nd Ultimo calling for further information
regarding the petition of Virapatta Lal, Pinchat-
-chetty, Chintamani Court, complaining of
the sale of his land for the recovery of the sum
granted to him for digging a well, I have
the honor to submit herewith the Tahsildar's
Report No. 128 dated 1st instant with enclosures
on the subject.

2. It will be observed from the same
that the petitioner had due notice of the
sale of Rs. 2-12-0 and that for want of
timely attention on his part the well was attach-

Draft as for Orders

(12)

Read

Petitioner stated in the

Q marginal No 3440 without date
3630 " 6th April 1896
3787 " 18th May 1896
391 " 22nd Jan 1896

LR 83-95.11

Q marginal first that Sub Asst Collr of Venkatagirikota Chentsiramiah Sahib Engineering Officer sale of his lands for the recovery of the ~~loan~~ advance granted him for sinking an irrigation well.

Letter from the Collector Kistna District No. 503/1416 of 30th June 1896 reporting on the above petition & submitting the connected with Record in the case

Letter from — do — do — No 375/210 of 7th July 1896 Submitting certain further information called for on the subject.

No 4895-4901 / P. 791 / 12.5.

Order thereon

The Petitioner Syath Sab applied for an advance of Rs 300 ~~on~~ " for sinking an Irrigation well in his field, Survey Number

pet 22/7/96 Encl: one 5-8

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT. (9)

OFFICIAL MEMORANDUM.

The accompanying Petition No. 396

dated 22nd July 1896 received at the

Dewan's Office from Nazat Sabi of

Venkatagiri Kota in the Chintamani Taluk praying that the

~~Kandayam~~ sale of his land for the recovery

of the Takavi amount advanced

to him may be ~~cancelled~~ received

from him

is forwarded, ~~together with its~~

~~enclosures~~, to the Deputy Commissioner of the Kolar District in

continuation of this Office

No. 937/177 dated 24th July 1896

& the petition should be

returned.

By Order,

Draft

for ~~Chief~~ Secretary

BANGALORE,
5-8-1896

1566
4/8/96

M. G. C. P. Bangalore.—21-11-92—3,000.

Number 65, measuring
A Guntas
3 - 3; and assessed at
Rs 7 in the village of Timmasandra
Chintamani Taluk. ~~This was mortgaged~~
~~to Govt by~~ whereof debt
was estimated to Govt Rs 402
& the advance
was granted to him in the
year 1892 in 4 instalments
on the security of his field
referred to as well as ~~the~~ two
personal ~~security~~ sureties. He failed
to complete the work within
the given time and the
work itself collapsed owing,
it is said, to want of timely
attention on his part.
Steps were accordingly
taken for the recovery of
the ~~loan~~ advance as well as certain
arrears & Endorsement thereon
by them amounting to Rs 5-11-0.
At the sale of field No 65
fetched only Rs 92, another
land in his holding, viz,
Survey No 91 measuring
A Guntas
3 - 8

amount of hardship
which it is desirable that
the local officers entrusted
with the important
duty of making advances
for land improvements
and for the construction
of irrigation wells
should foresee and guard
against. If does not
appear that the latter
had been wantonly
negligent although from
poverty he was not able
to meet the expenditure
incidental to the
construction of a costly
well promptly and at
stated times. Out of
an advance of Rs 300 which
was sanctioned after
more than one application
had been made and
in more than one instal-
-ment the official report
of the Mestri ~~states~~
~~that~~ the well had
executed

3. The petitioner would seem to have collected about a cart load of burnt stones

4. The nature of the petitioner's default was that the well which according to his Muchalika dated 1st January 1892 should have been completed within 6 months from that date was not in spite of repeated warning finished by him till the end of April 1895.

5. Nayath sahi's petition received with your official Memorandum No. Let/227 dated 5th August 1896 is herewith returned.

6. I may state here that many individuals who have received advances for sinking irrigation wells plead that though a larger outlay than advanced by Government has been incurred they are unable to show any progress in the work owing to slips.

7. I need hardly say that failure to abide by the terms under which the advances

were made is due to negligence on their part in not paying immediate and prompt attention to revet the wells when the earth work is completed.

8. I request to be instructed whether in such cases the recovery of the advances should be held in abeyance and the parties given further grace to complete the wells.

I have the honor to be
Sir,
Your most obedient Servant.

Deputy Commissioner
Kolar District.

executed earthwork
to the value of more than
£200. He had also got many
cart-load of stones to be
used for the revetment.
But the well seems to
have collapsed and
rendered further work
impossible or unprofitable.
Weber not only lost the
benefit of all the money
he borrowed through
both on the measures
adopted for the recovery
of this money, whereby
all the land he had
possessed. The object
aimed at viz. the
improvement of the
land, was not only
not obtained, but the
Peb—— was simply ruined
in the attempt. This
undesirable result
should be traced to
two

two causes, viz

1. Want of a proper estimate of the work at the Commencement;

2. Want of timely inspection and help both in the shape of advice and advance of money

It is of the highest importance that such applications should not be treated arbitrarily or mechanically. The Officer entrusted with the execution of the benevolent intention of the Govt should enter sympathetically into the whole concern, get as much reliable data as possible to form a correct opinion of the probable expenditure and cooperate carefully with the borrower till the whole advance is worked out. It is obvious

Such proposal "much" entered in lieu of "money" with original as granted seems intended

67

A Gantas
3 - 8 X assessed at Rs 6 was
and it fetched
also sold ^ and bought in
Thus a total amount of Rs 284
Rs 192 : was
was realized
^ leaving a balance of Rs
21 - 11 - 0 still due, which
as he is unable to meet
liquidate liquidate, his
Surities have it is said,
been called upon to pay.
These Sales were confirmed
by the Governor ^. The Petr
now appeals against the
Governor's order confirming
the sales.
the request to be allowed
further adduce additional
further evidence etc.
proof of debt.

and the lands are reported to have been registered in the names of the purchasers

2. The Governor
remarks that many
individuals who have
received advances for
Seeking Irrigation Wells
plead that there is a
larger outlay than that
advanced from
the Govt

Read with this to know what is wanting in the application

has been incurred they are unable to shew any progress in the work going to shew that any unexpected difficulties have arisen and that the failure to abide by the terms under which advances were made is due to negligence on their own part in not paying immediate and prompt attention to stone work as soon as the earth-work is completed; — and in such cases, he deals instructions as to whether the recovery of advances should be held in abeyance and the parties given further time to complete the wells.

These are of common occurrence in the work of stone-revetment & it was meant: it would be better to say "attention to the stone-work"

3. The Government observe that the Sales in this case have been conducted regularly and cannot be interfered with. But they note that the whole case discloses a certain amount

obvious that for a well formed
the earth work ~~alone~~
~~of which~~ alone cost more than
two-thirds, while the
stone revetment was left
untouched, the amount
of the advance made
was not sufficient. Much
time would also appear
to have been lost in
obtaining payment of the several
instalments ~~of payment~~ by the Treasury
The borrower had no
other means ~~of~~ to fall
back upon, and the
enterprise as conceived
and executed was therefore,
a mere ~~came~~ counting of
risk. The Board earnestly
hope that advances
will be made in better
and more reliable
information than
seems to have been
obtained and acted
upon in this case.
After advances are
made

(10)

1896-97

GOVERNMENT OF MYSORE

PETITION

PROCEEDINGS

Dated 1st *December* 1896

No. 4895-4901 P. 791

4. Communicating the remarks of Government regarding the loan granted to one Hyath Sab of Venkatagirikote, Chintamani taluk, for sinking an irrigation well, and issuing certain instructions in the matter of granting such loans.

M.G.C.P.B.—11-1-97—120

READ :—

Petitions noted in the margin from Hyath Sab of Venkatagirikote, Chintamani taluk, complaining of the sale of his lands for the recovery of the advance granted to him for sinking an irrigation well.

No. 3440, without date.
,, 3630, dated 6th April 1896.
,, 3737, dated 18th May 1896.
,, 3896, dated 22nd July 1896.

2. Letter from the Deputy Commissioner, Kolar district, No. 5073—1416, dated 30th June 1896, reporting on the above petition and submitting the vernacular record connected with the case.

3. Letter from the Deputy Commissioner, Kolar district, No. 878—210, dated 17th August 1896, submitting certain further information called for on the subject.

No. 4895-4901—P. 791, DATED, BANGALORE, 1ST DECEMBER 1896.

ORDER THEREON.—The petitioner Hyathi Sab applied for an advance of Rs. 300 for sinking an irrigation well in his field, Survey No. 65, measuring 3 acres and 31 guntas and assessed at Rs. 7, in the village of Timmasandra, Chintamani taluk. The well was estimated to cost Rs. 402 and the advance was granted to him in the year 1892 in four instalments on the security of his field referred to, as well as two personal sureties. He failed to complete the work within the given time and the work itself collapsed owing, it is said, to want of timely attention on his part. Steps were accordingly taken for the recovery of the advance as well as certain arrears of kandayam due by him amounting to Rs. 5-11-0. As the sale of field No. 65 fetched only Rs. 92, another land in his holding, *viz.*, Survey No. 91, measuring 3 acres and 3 guntas, and assessed at Rs. 6, was also sold and it fetched Rs. 192. Thus a total amount of Rs. 284 was realized, leaving a balance of Rs. 21-11-0 still due, which, as he is unable to liquidate, his sureties have, it is said, been called upon to pay. These sales were confirmed by the Deputy Commissioner, and the lands are reported to have been registered in the names of the purchasers. The petitioner now appeas against the Deputy Commissioner's order confirming the sales.

2. The Deputy Commissioner observes that individuals plead inability to show progress notwithstanding the expenditure of a larger sum than the advance received from the Government, while as a matter of fact their failure to abide by the terms under which advances were made is due to negligence on their own part in not paying prompt attention to stone work as soon as the earthwork is completed. In such cases, he solicits instructions as to whether the recovery of advances should be held in abeyance and the parties given further grace to complete the wells.

3. The Government observe that the sales in this case have been conducted regularly and cannot be interfered with. But they note that the whole case discloses a certain amount of hardship which, it is desirable, that the local officers entrusted with the important duty of making advances for land improvements and for the construction of irrigation wells should foresee and guard against. It does not appear that the petitioner had been wantonly negligent, although from poverty he was not able to meet the expenditure incidental to the construction of a costly well promptly and at stated times. Out of an advance of Rs. 300 which was sanctioned after more than one application had been made and in more than one instalment, the petitioner had, according to the official report of the mestri, executed earthwork to the value of more than Rs. 200. He had also got ready a cart-load of stones to be used for the revetment. But the well seems to have collapsed and rendered further work impossible or unprofitable. The petitioner not only lost the benefit of all the money he borrowed from Government, but in the measures adopted for the recovery of this money, he lost all the land he had possessed. The object aimed at, *viz.*, the improvement of the land, was not only

made, the responsible officer ought to inspect the works periodically, watch their progress and render such help as is necessary to bring the works started by poor and innocent ryots to successful completion. ~~In these~~

4. In the present case, the Dy Collector may endeavour to induce the purchasers to give up their right to the lands ~~in question~~ and if they agree, the sale may be cancelled and the purchase money refunded to them. As the Petitioner's case is a really hard one, he may be allowed to repay the Govt Loan in two or three annual instalments, provided he gives tangible security for so doing.

~~He is also possible~~

S. Finally

5. Finally the Govt observe that it is not possible to lay down a hard and fast rule as desired by the Govnr for his guidance in such matters. As the chief officer of the district Government looks to it to him to carry out the measures and orders on such a way as to realize the full amount of good resulting therefrom to the people and to itself and to minimize the hardship if any by a considerate regard to the interests of all concerned.

Subject to appl

1-12-96

C2

Print

30/11/96 Secretary
24/11/96

To The Govnr. Kly draft
returning the Viramgam record
in the case. (To lie in this file by permission)

" Govnr of Bom Bdy Except Mysore.

9 The Commissioner has decided that the Viramgam & Sent to Govnr dealing with rule Such Advances The Rules of 21/7 have since been made applic

not obtained, but the petitioner was simply ruined in the attempt. This undesirable result should be traced to two causes, *viz.*—

1. Want of a proper estimate of the work in the commencement.

2. Want of timely inspection and help both in the shape of advice and advance of money.

It is of the highest importance that such applications should not be treated arbitrarily or mechanically. The officer entrusted with the execution of this benevolent intention of the Government should enter sympathetically into the whole concern, get as much reliable data as possible to form a correct opinion of the probable expenditure, and co-operate earnestly with the borrower till the whole advance is worked out. It is obvious that for a well of which the earthwork alone cost more than two-thirds, while the stone revetment was left untouched, the amount of the advance made was not sufficient. Much time would also appear to have been lost in obtaining payment of the several instalments of the loan. The borrower had no other means to fall back upon, and the enterprise as conceived and executed was, therefore, a mere courting of ruin. The Government earnestly hope that advances will be made on better and more reliable information than seems to have been obtained and acted upon in this case. After advances are made, the responsible officer ought to inspect the works periodically, watch their progress and render such help as is necessary to bring the works started by poor and innocent raiyats to successful completion.

4. In the present case, the Deputy Commissioner may endeavour to induce the purchasers to give up their right to the lands in question, and, if they agree, the sale may be cancelled and the purchase money refunded to them. As the petitioner's case is a really hard one, he may be allowed to repay the Government loan in two or three annual instalments, provided he gives tangible security for so doing.

5. Finally, the Government observe that it is not possible to lay down a hard and fast rule as desired by the Deputy Commissioner for his guidance in such matters. As the chief officer of the district, Government look to him to carry out its measures and orders in such a way as to realize the full amount of good resulting therefrom to the people and to itself and to minimize the hardship, if any, by a considerate regard to the interests of all concerned.

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Deputy Commissioner, Kolar District, returning the vernacular record in the case,
The Deputy Commissioners of other Districts except Mysore.

Exd.—H.A.B.

ವಿಲ್ಲಾದಿ ಮೀರಬಲಗನ್ನವಂಶು ಉಪ್ಪವ ಮೂ

ರುಕಿಂತೆಗಳ್ಳಂದವಸೂರಲ್ಲಿತ್ತೆಗವುಕೊರ್ಡಳ್ಳಿಬ

ಪ್ರುದಾಗಿಲಿಲ್ಲಿರಾ, ಸಹನಮೂರಿಸಿಸಿ. ತ್ಯೋಯ

ವದು.

ಇತ್ತಲಿಖಿ, ಸೀಮಾಕಿಷಿತೆಂಬಿಂಸಕ್ಕೆ, ರಿಂಗೆ

ಇಸವಿ ಮೀರಿಸಿಂಬಿಂಗಳ್ಳಾರು.

Reg. Order

Draft

4/12/96

Asst. Secretary

Refer
1.2.00

Lr 83-95-14 (14)

1900

No. 1658

Name of Petitioner [illegible]

Village [illegible]

Taluk [illegible]

District Kolar

Date of Arzi 19-2-1900

Date of Receipt 22-2-1900

Date of Disposal

No. of Enclosure Nil

Very Record for reference

[illegible]

[illegible]

Rec'd 5/3.

Re: Record for compliance.

Rec'd 5/3.

Petition Granted

The above Lr 485-4001 91-12-96
1791

Initials

Rec'd 6/3/00

Rec'd 7-3-00

Open file

10/3/00 open file made

All
12/3/00

Submitted with a draft of proposed forwarding letter for the signature of the Deputy Commissioner, Kolar, in continuation of this office No. 485-4001 dated 1.12.96.

P.T.O.

Lr 3.00

ABSTRACT

[illegible]

నెం-రిజిస్టర్
1-8-96

నంబర్
376

కృష్ణాంధ్ర బ్యాంక్ చల్లపల్లి నుండి

ఆభరణాల తనిఖీ-ఇతరాంశములపరిశీలనకొరకు

వేంకటయ్యగారికి ఆహ్వానము పంపుట గురించి

కలం.

సదరు తనిఖీ ఆభరణములు ప్రస్తుతం

తమ వద్ద నిల్వ ఉన్నవని ఆ ఆభరణములు

రిజిస్టరు చేయబడి ఉన్నవని ఆ

ఆభరణములకు 300 మున్నూరు రూపాయలు

మేరకు బీమా సదుపాయము ఉన్నదని

9/11 నుండి బీమా గడువు పొడిగించబడినదని

దువల్ల ఆభరణములు

సదుపాయమును

దల్లగా శీఘ్రముగా

వరిసలాయితు.

3630,	కాలిఫ్లవర్	1
3787,	18	—
396,	22	—

ಈ ಸಂದರ್ಭದಲ್ಲಿ ಕೇಂದ್ರ ಜೆಡಿಎಸ್ ಪಕ್ಷವು ಕಾಂಗ್ರೆಸ್ ಪಕ್ಷದ ಬೆಂಬಲವನ್ನು ಅಧಿಕಾರದಲ್ಲಿ ಪ್ರವೇಶಿಸುವುದಿಲ್ಲ ಎಂದು ಆಗಲಿಲ್ಲ ಅಧಿಕಾರದ ಪರಂತು, ಅಧಿಕಾರವನ್ನು ಗೆ ಆಂತಾಗಿರುವ ತೊಂದರೆಯಲ್ಲಿರುವುದರಿಂದ ಪರ್ಯಾಲೋಚಿಸಿ, ಜೆಪ್ರ್ಯಾಪಿಕ್ ಮಿಂಚನ್ನು ಗೆಬಿಡಿಸಿರುವುದರಲ್ಲಿ, ಸದರಿ ಪಾರ್ಟಿಗಳ ಮೇಲೆ, ತಪ್ಪು ಗಳಿಗೆ ಇರತಕ್ಕದ್ದನ್ನು ಬಿಟ್ಟು ಕೊಂಡುವಾ ಗಿ, ಹೊಂದಿದ್ದಾರುಗಳಿಗೆ, ತಿಳಿದುಕೊಳ್ಳುವುದು ಮಾಡಿಕೊಂಡಿಲ್ಲುಪ್ರಯುಕ್ತವಾಗಬಹುದಾಗಿಲ್ಲೂ, ಅವರುಗಳು ಒಪ್ಪುವಷ್ಟೇ ಕ್ಕೆ ಹೊಂದಾಣಿಕೆಯನ್ನು ರದ್ದುಮಾಡಿ, ಮೊಂಬಲಸೀವಾಪ ಸೆ ಪಾವತಿಮಾಡಿಸಬಹುದಾಗಿಲ್ಲೂ ಮತ್ತು ಮಾತ್ರವಿಲ್ಲದೆ ಕೊಂಡುವಷ್ಟೇ ದಲ್ಲಿ ಅಧಿಕಾರವನ್ನು ಸರಕಾರಕ್ಕೆ ಪಾವತಿಮಾಡಿ

References

SDJ U.R.T. 2/3/97

Forwarded LR 83-95-13

Returned 4/3/97

(13)

1897

No. 2672

Name of Petitioner Hyath Sabi

Village Thimmasandra

Taluk Chintamony

District Kolar

Date of Arzi

Date of Receipt 22-3-97

Date of Disposal

No. of Enclosure nil

ABSTRACT.

States that he possesses land nos 65+91 and intending to construct an irrigation well on them for their cultivation he obtained an advance of Rs 300/- from the Govt for the construction thereof. This amount being not sufficient for the purpose, he executed a portion only of the work, so that the ruling authorities examined how far the work had progressed and seeing that the entire work had not been executed reported the matter to the Deputy Commr who passed orders for the said lands to be

of by public auction.

Prays that the Govt may be pleased to protect him by making him a further advance of Rs 200/- towards the completion of the construction of the well and further cancel the order of the local authorities to sell his land by auction in satisfaction of the dues alleged to be caused in the said construction

BL
5/8/17

R47 R4584

(General Serial No. 30.)

(16)

DEPARTMENT
1900 MAY 30 1901
7496

From
H. E. H. Carr Esquire
Dy: Commissioner
Kolar.

To
The Secretary to the
Govt of Mysore, Rev:
and Genl: Depts.

Dated 3rd } May 1901.
Despatched 4th }

Received

General No. 1 1 5 } 1901.
No. 5 5

Enclosures Number. 1 file

Submitting a report on the complaint of Nyath Sahi of Venkatagirikote, in the Chintamani Taluk regarding the sale of his lands for recovering the amount of advance made to him for sinking an irrigation well

R&A.

6/5/01

No. 1 referred to in this report from the Genl Depts.

2/5/01.

Secy Bx.
Chief Secretary's Office.
7.5.01

11-5 A/N

Rec'd up & rept
regarding the
May 21/5/01

The ref. quoted will
relate to R47
Rec'd
7.5.01
Ref. Progs
Asst Secy
May 22/5

R 83-95-16

Kolar Deputy Commissioner's Office

Dated May 1897.

From

J. G. B. Carr Esquire
Dy Commissioner Kolar Dist.

To

The Secretary to the Government of Mysore
Revenue and General depts.

Sir

With reference to Government Proceedings No. 4895-4901 dated 1st December 1896 P.X 791 about the recovery of advance made to Hyath Sahi of Venkatagiribetta in the Chintamani Taluk for sinking an irrigation well, I have the honor to state that as per para 4 of the above Proceedings, the purchasers were induced to give up their right to the lands in question, and they agreed to do so in the event of their being paid the expenses incurred towards the

(916)

80 Pet 467-99 P2 (15) 19-3-1900

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

KR 83-95-15

OFFICIAL MEMORANDUM.

The accompanying ~~Appeal~~ Petition Registered No. 1658 dated 19-2-00, received at the Dewan's Office from Hajee Sabi of Veerakanipalle in the Chintamani Taluk, praying for early measures being taken to get him back his lands Srs 65 and 91, accorded ~~to~~ sold for towards the recovery of the Takavi loan advanced to him is forwarded, together with its enclosures, to the Deputy Commissioner of the Kolar Dt., for disposal with reference to para 4 of Govt Pro: 4895-99 P.791 dated 1.12.96.

By order,

BANGALORE,
19/3/1900.

Secretary.

14.3.00.

4. In the deposition given finally before the General Assistant Commissioner on 27th March 1901, Gerimar, purchaser of land No. 65, stated that he would part with the land provided he is paid the advance amount towards the enhancement of land, viz. Rs. 35. together with interest on the purchase money at 1 per cent from the date of purchase; while the other Ramamantha Rao, purchaser of land No. 91, refuses to part with the land. Syath Sabi is not disposed to pay any interest or advances nor take back either number out of the two lots.

As the matter cannot be settled amicably, I am of opinion that the question needs no further interference of Government.

The correspondence passed ending with the

the General Assistant Commissioner's

No: 5401 dated 27th March 1901 are herein

enclosed.

I have the honor to be

Sir,

Your most obedient Servant

J. C. Carr

Dy: Commissioner

Kolar District

the improvement of the lands amounting to Rs 165-6-0 (Rs 121-15-0 for land No: 65 and Rs 43-7-0 for land No: 91). But the defaulter Atyath Sabi did not agree to this on the ground that the amount claimed was high, but stated that he would abide by the decision of Panchayat. The award of Panchayat was Rs 67-5-0 as per margin, which Atyath Sabi agreed to pay in 4 monthly instalments. But the purchasers did not agree to the settlement, as they wanted to have the expenses incurred towards the improvement of lands together with the interest on the purchase money. The Amildar was ordered to prevail upon the purchasers and have the matter settled. But it could not be settled amicably.

Rs 14-6-0 for land No: 91.

2. Subsequently on the representation of Atyath Sabi, the General Assistant Commissioner Mr: Gopaliengar, recommended that the advance amount

amount may be recovered in 10 years at the rate of Rs 30/- per annum, by refunding to the purchasers the purchase money viz Rs 28 and Rs 67-6-. being the amount spent for the improvement of the lands. He therefore recovered Rs 30/- from Styath Labi as being the 1st instalment. Mr. Venkatavardiengar the then Deputy Commissioner, observed that the Government order referred only to the refunding of purchase money and not to the payment of the cost of improvement, which Styath Labi was bound to pay.

3. Out of the amount so paid by Styath Labi, Rs 22/- was credited by the Amildar towards the arrears still due to Government after the sale of two members referred to, and the remaining Rs 8/- + Rs 7 being the amount paid towards Kandayam has been kept in deposit.

In

87 p (17)

Proceedings of the Govt: of Mysore —

Read again:—

Govt: Progs: No 4895-4901 / P 791 dt 1.12.01 passing orders regarding the sale of the lands of Hyath Sabi for the recovery of the loan ... advanced to him for sinking a well.

Read:—

Letter No 4118/650 dt 3.5.01 from the Dy: Commissioner Kolar Dt: reporting that the purchasers of the lands and Hyath Sabe are unable to settle the matter

Lr 83-95-17

rather amicably and that the petitioner (Nyatta Sabi) is not disposed to pay any interest or expenses to the purchasers nor take back either number out of the two sold.

Order thereon: 1/2 10006 P.P. 67-99 2/17/4.17

Recorded.

Draft- 1/2/6

Secretary

23/5

25/5/07

To the Govt. Kolar Dt. with records

1/2/6/1907

14/6/07